

Superior Court of Washington
County of _____

<p>In re the Detention of:</p> <hr style="width: 80%; margin-left: 0;"/> <div style="text-align: right; margin-top: 10px;">Respondent</div>	<p>Case No. _____</p> <p>Findings, Conclusions, and Order Committing Respondent for Involuntary Treatment, Less Restrictive Alternative Treatment, or Assisted Outpatient Behavioral Health Treatment</p>
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<i>Select all that apply:</i>	
<p><input type="checkbox"/> Mental Disorder</p> <p style="margin-left: 20px;"><input type="checkbox"/> 14-day involuntary inpatient treatment (ORDT14)</p> <p style="margin-left: 20px;"><input type="checkbox"/> 90-day LRA (ORDL90)</p> <p style="margin-left: 20px;"><input type="checkbox"/> 90-day AOT (AOTL90)</p>	<p><input type="checkbox"/> Substance Use Disorder</p> <p style="margin-left: 20px;"><input type="checkbox"/> 14-day involuntary inpatient treatment (ORDT14S)</p> <p style="margin-left: 20px;"><input type="checkbox"/> 90-day LRA (ORDL90S)</p> <p style="margin-left: 20px;"><input type="checkbox"/> 90-day AOT (AOTL90S)</p>
<p>LRA/AOT Expires on _____.</p>	

Hearing

The court held a hearing on (date) _____ on the:

- ☐ Petition for 14 days of involuntary treatment **OR** 90 days of less restrictive alternative treatment.
- ☐ Petition for 90 days of assisted outpatient behavioral health treatment.

The following people appeared at the hearing:

- ☐ Respondent appeared ☐ in person ☐ by video
and was represented by _____.
- ☐ Respondent waived their appearance through counsel.

☐ A separate appearance waiver has been filed.

☐ Respondent orally waived their appearance through defense counsel, and the court accepts this waiver.

☐ Petitioner appeared ☐ in person ☐ by video

and was represented by _____.

☐ Guardian ad litem (GAL) ☐ appeared in person ☐ appeared by video ☐ waived appearance.

☐ Guardian ad litem (GAL) waived Respondent's appearance.

☐ Witness _____ appeared ☐ in person ☐ by video or ☐ under CR 43 by ☐ telephone ☐ _____.

☐ Witness _____ appeared ☐ in person ☐ by video or ☐ under CR 43 by ☐ telephone ☐ _____.

☐ Agreed Order

In addition to the findings of fact and conclusions of law written below, the court incorporates by reference the oral findings of fact and conclusions of law.

Findings of Fact

The court makes the following findings of fact:

1. **Time of Hearing.** The hearing was held within the time period allowed in RCW 71.05.240.

2. **Firearm Notice.** (Not applicable for substance use disorder treatment.)

Before this order was entered ☐ the court and/or ☐ the prosecutor notified the Respondent, orally and in writing, that the failure to make a good faith effort to seek voluntary treatment will result in the loss of Respondent's firearm rights if Respondent is detained for involuntary treatment as the result of a mental disorder.

3. **Voluntary Treatment.**

☐ Good Faith Voluntary: Respondent has alleged prior to the commencement of the hearing that the person has, in good faith, volunteered for treatment.

☐ Petitioner has proven by a preponderance of the evidence that Respondent has not, in good faith, volunteered for appropriate treatment.

4. **Reasons for Commitment.** Petitioner has proven by a preponderance of the evidence that Respondent suffers from the following behavioral health disorder/s.
(*Select all that apply:*)

☐ Substance use disorder: _____

☐ Mental disorder: _____

As a result of the above disorder/s (*check the boxes that apply and write facts in support below*):

Likelihood of serious harm or gravely disabled:

- ☐ There is a substantial risk that Respondent:
- ☐ will inflict physical harm upon themselves, as evidenced by threats or attempts to commit suicide or inflict physical harm to themselves.
 - ☐ will inflict physical harm upon another person, as evidenced by behavior which has caused such harm or which places another person or persons in reasonable fear of sustaining such harm.
 - ☐ will inflict physical harm to the property of others, as evidenced by behavior which has caused substantial loss or damage to the property of others.
- ☐ Respondent has threatened the physical safety of another and has a history of one or more violent acts.
- ☐ Respondent's condition is such that Respondent:
- ☐ is in danger of serious physical harm resulting from the failure to provide for their essential needs of health or safety.
 - ☐ manifests severe deterioration in routine functioning evidenced by repeated and escalating loss of cognitive or volitional control over actions and is not receiving such care as is essential for health and safety.

Facts in support: _____

In need of assisted outpatient behavioral health treatment:

- ☐ Respondent:
- has been committed by a court to detention for involuntary behavioral health treatment during the preceding 36 months (excluding confinement as a result of a criminal conviction);
 - is unlikely to voluntarily participate in outpatient treatment without an order for less restrictive alternative treatment, based on a history of nonadherence with treatment or in view of the person's current behavior;
 - is likely to benefit from less restrictive alternative treatment;
 - requires less restrictive alternative treatment to prevent a relapse, decompensation, or deterioration that is likely to result in the Respondent presenting a likelihood of serious harm or the Respondent becoming gravely disabled within a reasonably short period of time; and
 - does not present a likelihood of serious harm and is not gravely disabled.

Facts in support: _____

5. Less Restrictive Alternative Treatment.

☐ Less restrictive alternative treatment is in the best interest of the Respondent or others. (*Explain:*)

OR

☐ Less restrictive alternative treatment is not in the best interest of the Respondent or others. (*Explain:*)

6. Adequate Space for Respondent's Substance Use Disorder Treatment.

☐ A secure withdrawal management and stabilization facility with adequate space for the Respondent ☐ is available ☐ is not available.

☐ An approved substance use disorder treatment program with adequate space for the Respondent ☐ is available ☐ is not available.

7. ☐ Agreed Order. Respondent, after consultation with counsel, agrees to the entry of this order.

8. Other. _____

Conclusions of Law

9. Jurisdiction. The court has jurisdiction over the parties and subject matter of this mental illness proceeding.

10. Criteria. The Petitioner established by a preponderance of the evidence that the Respondent:

☐ presents a likelihood of serious harm.

☐ is gravely disabled.

☐ is in need of assisted outpatient behavioral health treatment and the Respondent does not present a likelihood of serious harm and is not gravely disabled.

The Court Orders:

11. Involuntary Treatment as follows:

☐ **14-Day Commitment.** The Respondent is to be detained for a period not to exceed 14 days of intensive inpatient treatment at the following facility certified to provide treatment by the Department of Health or under RCW 71.05.745:

☐ Inpatient mental health treatment at: _____

☐ Secure withdrawal management and stabilization facility at: _____

☐ Approved substance use treatment program at: _____

☐ Other: _____

Escape and Recapture. If the Respondent escapes from the treatment facility, any Peace Officer shall apprehend, detain, and return the Respondent to this treatment facility or to the evaluation and treatment facility designated by a Designated Crisis Responder (DCR).

☐ **Less Restrictive Treatment** as follows:

☐ **90-Day Less Restrictive Alternative Treatment.** The Respondent is released for less restrictive alternative treatment (LRA) for up to 90 days:

☐ mental health treatment ☐ substance use disorder treatment

☐ **90-Day Assisted Outpatient Behavioral Health Treatment.** The Respondent is released for assisted outpatient treatment on a less restrictive alternative (AOT) for up to 90 days:

☐ mental health treatment ☐ substance use disorder treatment

LRA/AOT services and conditions:

(name) _____ is the behavioral health service provider responsible for identifying the services the Respondent will receive in accordance with RCW 71.05.585.

The following treatment conditions or other conditions are in the best interest of the Respondent and others:

Respondent must cooperate with the services planned by the mental health service provider.

Violation and Hospitalization. If a treatment agency or facility, or a Designated Crisis Responder (DCR) determines that the Respondent is not following the terms and conditions of this order, that substantial deterioration or decompensation in Respondent's functioning has occurred, or that the Respondent poses a likelihood of serious harm, they may take action to enforce, modify, or revoke the less restrictive alternative. If revocation procedures are begun under RCW 71.05.590, a hearing shall be held within five days to address the allegations and determine whether this order should be modified or whether the Respondent should be returned to an evaluation and treatment facility for intensive inpatient treatment for the remainder of the treatment period.

(If the current less restrictive alternative is solely based on the Respondent being in need of assisted outpatient behavioral health treatment, then revocation proceedings are under RCW 71.05.590).

12. ☐ **Transportation.** The Respondent is remanded into the custody of _____ for transportation and delivery to the treatment facility.
13. ☐ **Concurrent Jurisdiction.** The Respondent will be placed in _____ County and that county shall have concurrent jurisdiction with this county to consider any Petition for Revocation of this Order without further order of this court.
14. **Right to Full Hearing or Jury Trial.** If involuntary treatment beyond the 14-day period or beyond the 90 days of less restrictive treatment is to be sought, Respondent will have the right to a full hearing or jury trial as required by RCW 71.05.310.
15. **Firearms Possession Prohibited.** (not applicable for substance use disorder treatment)
Respondent shall immediately surrender any concealed pistol licenses, and Respondent may not possess a firearm unless Respondent's right to do so is restored by a court of record. The *Notice of Ineligibility to Possess a Firearm* is filed separately.
16. **Notice to Department of Corrections.** If Respondent is, or becomes, subject to supervision by the Department of Corrections, Respondent must notify the treatment provider. Respondent's mental health treatment information and substance use disorder treatment information must also be shared with the Department of Corrections for the duration of the Respondent's incarceration and supervision, under RCW 71.05.445. Upon a petition by a person who does not have a history of one or more violent acts, the court may, for good cause, find that public safety would not be enhanced by the sharing of this information.
17. **Other.** _____

Dated _____

Judge / Commissioner

Approved for entry

Approved for entry

Attorney for Petitioner DPA/AAG

Attorney for Respondent

WSBA No. _____

WSBA No. _____

Respondent

Interpreter certifies that they have reviewed this order with the Respondent.

Interpreter